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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/102,207    06/22/98    GOH    D    10971798-1

022879    LM01/0803  
HEWLETT PACKARD COMPANY  
P O BOX 272400  
INTELLECTUAL PROPERTY ADMINISTRATION  
FORT COLLINS CO 80527-2400

EXAMINER

DAVIS, D

ART UNIT

PAPER NUMBER

2754

DATE MAILED:

08/03/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

09/102,207

Applicant(s)

GOH ET AL

Examiner

David D. Davis

Art Unit

2754

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some \* c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) \_\_\_\_.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 18) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_

### ***Claim Objections***

1. Claim 2 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Specifically, claim 2 "depends" from claim 2. *Note: Claim 2 is considered to depend from claim 1, infra, so as to expedite prosecution.*

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-3, 5-18, and 21-30 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Azarya et al (US 5,978,578). See figure 4; column 9, lines 41-52; column 10, lines 44-57 and column 11, lines 6-38.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102((e), f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 4, 16-18 and 31-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Azarya et al (US 5,978,578) in view of Han (US 5,903,737). Azarya et al discloses the claimed invention. However, Azarya et al is silent as to the interchip communication including an I<sup>2</sup>C bus with the compliant device being an I<sup>2</sup>C-compliant device.

Han discloses in column 2, lines 58-67 I<sup>2</sup>C serial data communications.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the apparatus of Azarya et al with I<sup>2</sup>C serial data communications as taught by Ham. The rationale is as follows: one of ordinary skill in the art at the time the invention was made would have been motivated to provide I<sup>2</sup>C serial data communications so as to provide an apparatus "which can transmit and

receive serial data of an inter integrated circuit (IIC or I<sup>2</sup>C) type utilizing a general microcomputer." See column 1, lines 6-12.

7. Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Azarya et al (US 5,978,578). Azarya et al discloses the claimed invention. However, Azarya et al is silent as to specific memory types (e.g. non-volatile and/or volatile).

Official notice is taken of the fact that volatile and non-volatile memory types are notoriously old and well known in the computer/network art.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to specify the memory types for the apparatus of Azarya et al as taught in the art. The rationale is as follows: one of ordinary skill in the art at the time the invention was made would have been motivated to specify memory types to provide cost and manufacturing flexibility in the procurement of the memory.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David D. Davis whose telephone number is (703) 308-1503. The examiner can normally be reached on Mon., Tues., Thurs. and Fri. between 7:30-6:00.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-9051 for regular communications and (703) 308-9052 for After Final communications.

Art Unit: 2754

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



David D. Davis  
Primary Examiner  
Art Unit 2754

ddd  
July 31, 2000